

Pro Se Litigant Proceeding in Forma Pauperis

Obed Brown

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JURY TRIAL DEMANDED

Obed Brown v Express Scripts

To Whom It May Concern:

This Lawsuit is submitted on behalf of Pro Se Litigant, Obed Brown against Express Scripts for violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq., for employment discrimination on the basis of **race, color, sex/sexual orientation** and **gender** including **continued retaliation** and **wrongful termination**. I, Obed Brown, suffered numerous adverse actions because I complained multiple times about being harassed & sexually harassed by Express Scripts employees under their supervision.

Additional Charges

I'm also charging Express Scripts with several other federal civil rights violations including;

- **Conspiracy Against Rights – 18 U.S.C. §241** and
- **Deprivation of Rights Under Color of Law – 18 U.S.C. §242**
Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the **deprivation** of any rights, privileges, or immunities secured or protected by the **Constitution or laws of the United States**, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, et seq.
- **Retaliating against a witness, victim, or an informant – 18 U.S.C. § 1513 (b)** Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for—
 - (II) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; et seq.

(This includes blocking report of a federal crime, or retaliating against whistleblowers for attempting to report Corruption)

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- **Destruction, Alteration, or Falsification of records in Federal Investigations – 18 U.S. Code § 1519** Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, et seq.
- **Definitions – 18 U.S. Code § 2340 “Intentional Tort Crime”; War Crime (1)** “torture” means an act committed by a person acting under the color of law specifically intended to inflict severe physical or **mental pain or suffering** (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control;
(2) “Severe mental pain or suffering” means the prolonged mental harm caused by or resulting from—
 - (A) The intentional infliction or threatened infliction of severe physical pain or suffering;
 - (B) The administration or application, or threatened administration or application, of mind-altering substances or other procedures calculated to disrupt profoundly the senses or the personality;
 - (C) the threat of imminent death; or
 - (D) the threat that another person will imminently be subjected to death, severe physical pain or suffering, or the administration or application of mind-altering substances or other procedures calculated to disrupt profoundly the senses or personality; and
(3) “United States” means the several States of the United States, the District of Columbia, and the commonwealths, territories, and possessions of the United States.
- **Hate Crime Acts – 18 U.S.C. § 249 (2) Offenses involving actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability.—**
(A) **In general.**—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person—
 - (i) Shall be imprisoned not more than 10 years, fined in accordance with this title, or both;
 - (ii) and shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—
 - (II) death results from the offense; or
 - (II) The offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, et seq.

Overview

Express Scripts has conspired with local authorities & deprived me of my constitutional civil rights by illegally containing me without *due process* or allowing me to seek *legal counsel*, in regards to **TWO** lawsuits; (financial wars) that I am a *material witness* for. Both lawsuits violate my 6th & 14th amendment rights.

Supervisors **Ryan Eddins** and **Barbara Gerli** were both fired from Express Scripts as an “*adverse action*” of me complaining about being harassed and sexually assaulted, while the company was using the two of them to commit intentional tort crimes against me (*orchestrated by Express Scripts & their management staff*), in a retaliatory effort to force me out of my employment. Both Ryan Eddins & Barbara Gerli filed separate lawsuits worth millions of dollars & when Express Scripts couldn’t get the proceedings dismissed in court, they aligned with local authorities, took me **hostage** by illegally containing me (false imprisonment), **invaded my privacy** without any warrants or “*probable cause*” (including my private Facebook page), & tried to *conceal* the cases by not telling me. (*Which is a federal violation; Concealment 18 U.S.C. § 1001*) Express Scripts then began to intentionally torture me out of my job by using their employees to provoke me at work to get a **reaction**; using information that they gather from my **privacy**. Express Scripts then coerced “*lie witnesses*” from the company to make false claims against me in the legal proceedings in attempts to get a **false indictment** without probable cause, but when nothing worked, the anxiety from it all became a “*transparent behavior*” matter within the call center.

Transparency – is operating in such a way that it is easy for others to see what actions are performed. It has been defined simply as “the perceived quality of intentionally shared information from a sender”.

The **excessive force** & use of civilians lead to a controlled, **hostile**, police driven, **dangerous**, work environment” **targeting** me & my gender **identity/sexual orientation** because I am an **African-American, transgender woman**. I am medically diagnosed with Gender Identity Disorder & Gender Dysphoria, which I’m currently on prescribed HRT (Hormone Replacement Therapy), transitioning into a complete female. I will be undergoing sexual reassignment surgery as well, in which I will have a female vagina. I currently have “naturally” developed, female breast from the treatment my doctor has prescribed to me.

I started my physical transition into female while working at Express Scripts & once the company noticed I was transitioning into a woman they intensified their discrimination, retaliation & intentional tort crimes against me in efforts to financially disadvantage me & to get a “**reaction**” on camera to use against me in Ryan & Barbara’s court proceedings.

Obed Brown's Summary of Incidents at Express Scripts in Chronological Order from 2013-2015

- I. I, Obed Brown, began my employment at Express Scripts in May of 2013 as a temporary employee through Kelly Services. At the time of my initial hiring, I carried myself as "androgynous" as possible. Meaning, ***partly male and partly female in appearance; of indeterminate sex; having the physical characteristics of both sexes.***
- II. Around July/August of 2013, I was placed on the 2nd floor of the call center, in building 4, to carry out my work duties as a customer service representative with the permanent employees. Around that time, the permanent employees at Express Scripts started **"bullying"** me because I looked "androgynous". One **white** woman named Robyn Bartolni, Googled me at her workstation & showed other employees around her, photos of me on the internet in my entire "female" form with barely any clothes on. I was informed by a black woman named Cherilyn L. Azubuike, which was a permanent employee.
- III. **THE INCIDENT (The Cause) of discrimination/retaliation** – Around the same time in July/August of 2013, I sat in African-American, Supervisor Ryan Eddins section to carry-out my workday. While sitting catty-corner behind him, on his right side, I was able to see him from my workstation. Ryan kept looking over his shoulder numerous times in my direction. I was unsure what he was observing, until after the 3rd time he looked back with "offense" in his eyes. Ryan then jumped out of his seat & stood up to look directly at me. His body language showed that he was "uncomfortable". I didn't know what to think, so I just continued working. A few moments later a **white** woman from HR came to the aisle of my workstation with a video phone, it was obvious that she was recording me because she had it pointing directly at me. That same day, permanent employee **Deneen Cavitt** came out on the call center floor & made a comment directed towards me, stating, **"We are going to get her ass"**. It was later that **Deneen Cavitt & Jeceel Pye** informed me that Ryan Eddins complained to Human Resources because he was under the assumption that I was making sexual advances towards him by **"looking at him"**. The two ladies also informed me that the reasons HR didn't informed me about the complaint was to prevent me from suing the company because of the **hate crime** Express Scripts organized, so they hired a private detective to investigate me.
- IV. Over the next couple weeks the **"pattern of behavior"** in the work environment became hostile. The "supervising men" at Express Scripts along with permanent **male** employees were **"consciously"** looking at me trying to **"observe"** if I was **"staring"** at men. Everyone knew I was openly gay & that I **ONLY** dated men. **Ryan Eddins** began following me around the call center & trying to record me on his work phone looking at him.
- V. **1st Complaint to Kelly Services (temp agency)** – On August 21, 2013, I filed my 1st complaint against Express Scripts with Kelly Services HR manager Stephanie Brickson. I incorporated the fact that I was "Googled" & harassed by Express Scripts permanent

employees. I didn't say anything about Ryan Eddins because I was under the "expectation" Kelly Services would resolve the matter appropriately. Since Express Scripts didn't tell me anything about Ryan's complaint, I complained in general about the hostile work environment. Stephanie Brickson informed me that she gave out pamphlets to the employees at Express Scripts & provided me with a letter stating my concerns had been addressed.

- VI. **2nd Complaint to Kelly Services (temp agency)** – On September 27, 2013, Kelly Services employee, Darryl Jackson approached me in the hallway on the 1st floor of building 4 at Express Scripts. He pinched my "purse" or "androgynous man bag", pushed up against me & made a sexual gesture towards me that was very offensive. Afterwards he continued the harassment by instant messaging me at my desk insinuating that I had been acting "DRY". I didn't respond, but instead I asked a supervisor to point him out because I didn't know his name. That's when I realized Barbara Gerli was his supervisor. I went to the EEOC on September 30, 2013 to explain to them what was going on. They informed me of my rights & how to handle the situation while working in discriminatory/retaliatory work environments. Instead of filing a charge I complained to Kelly Services. Since I was "**mentally aware**" of the situation stemming from Ryan Eddins complaint, I automatically knew that Darryl's supervisor Barbara Gerli informed him to assault me.

After I conveyed my concerns to Kelly Services about my **job security** for complaining **twice**, the next day I returned to work I was offered a permanent position at Express Scripts. I knew right then that Kelly Services **forced** Express Scripts to hire me in fear of a lawsuit because of Darryl. On October 2, 2013 Kelly Services HR manager Stephanie Brickson provided me with a letter stating my issue had been resolved.

- VII. **Cause & Effect (Double Jeopardy Clause Fifth Amendment)** – After I was hired permanently at Express Scripts, supervisor Ryan Eddins was **fired**. As an effect of Ryan Eddins termination & my second complaint involving Darryl Jackson, Kelly Services fired Darryl. Darryl Jackson **blamed** supervisor Barbara Gerli for coercing him to assault me which "**caused**" Express Scripts to terminate Barbara. I also caught supervisor Barbara Gerli tampering with my email trying to entrap me with a dark skin, African-American man named **Random Easley**. After the terminations, Ryan sued 1st, then Barbara sued 2nd. Express Scripts have been fighting the **TWO** legal proceedings for about three years now, which they are trying to "**accuse**" me of "**causing**", because I defended myself professionally against an orchestrated hate crime executed by Express Scripts.

- VIII. **Retaliation and Adverse Actions** – as a result of my complaining & the lawsuit(s) that Express Scripts got themselves into, I suffered **MANY** adverse actions including **intentional mental torture**. *The Anti-Retaliation Law* is not for the purpose of protecting people from abuse but is enforced to protect the individual's right to complain or to seek grievance. That is precisely the reason why Express Scripts tried to conceal the cases & tried to silence me. The EEOC covers a multitude of **protected activity** in their **compliance manual Section 8, Chapter II, Part D**. All of the covered activities

listed below are the **additional** adverse actions that Express Scripts took against me from 2014 to 2015 in a retaliatory effort to force me out of my employment & into poverty.

- Termination, denial of promotion, threats, unjustified negative evaluations, schedule/shift changes, bonuses/raises, increased surveillance (**including privacy invasion**), assault, **involvement in employment discrimination litigation or proceedings, and unfounded civil or criminal charges** that are likely to deter reasonable people from pursuing their rights, which are all **covered** under the EEOC.
- IX. Complaint Against Clara Wilson** – Because of all the anxiety surrounding the court proceedings with Ryan Eddins and Barbara Gerli, the hostile work environment intensified. On February 6, 2015 I filed a complaint against female associate Clara Wilson, whom I didn't interact with at all in the call center. Clara approached me on my break as I was exiting building 6 & tried to accuse me of bumping into her. She also stated she "didn't like the way I walk." I took offense to the remarks & complained to HR manger Tina Moss about the incident because I believed they were trying to entrap me.
- X. Complaint Against Intentional Tort Crimes** – On April 15, 2015 I complained to HR manager Jennifer Green about the "**females**" that were disturbing me at my desk. By this time former HR manager, Tina Moss, had been **fired** "allegedly" for her involvement in the retaliation against Ryan Eddins & Barbara Gerli. Express Scripts had begun to orchestrate the **EXACT** type of **torture** that they did with Ryan, instead using females to stare at me at my desk & make comments to provoke me to react. Express Scripts **increased surveillance** & was taping me at my desk to make it seem like I was unfit to work there. They just wanted the reaction to use against me in court. They were trying to sabotage me.
- XI. Sexual Harassment Complaint Against Adam Flowers** – The torture reached its peak when an African-American man named **Adam Flowers** continuously came over to my designated workstation insinuating that he was going to get **PAID** to have sex with me. He also made offensive comments to me stating that "**he was going to teach me how to eat a woman's vagina**". Not only was I **disgusted** by the notion of **sexual intercourse** with a **FEMALE**, I was also terrified for my life being that it was alleged the owner of the company placed a HIV bounty against me. The allegations were being discussed in a "**transparent matter**" among the entire call center. I became a **SLAVE** to the system because the police **BLOCKED** me from testifying or seeking legal counsel in the court proceedings regarding Ryan Eddins and Barbara Gerli.

I was forced to make a logical decision in regards to the incident. Adam in the past had tried to contact me on social media, persistently trying to solicit his phone number to me **privately**. I never responded. On October 22, 2015 I filed a complaint with HR manager Kristin Robertson against Adam Flowers. Then I filed a **protection order** against Adam Flowers with the county on October 30, 2015. The sheriff served Adam Flowers his papers at Express Scripts. That's the address that I provided on the form. Both Adam & I

were suspended from work with paid leave until after the court proceedings. On November 12, 2015 Adam and I went to court. During the questioning Adam purged himself under oath out of fear of getting caught about being involved in the legal proceedings regarding Ryan Eddins.

- XII. The Cause of my Wrongful Termination Involving Kia Williams – Allegedly Kia Williams** is involved in the conspiracy against me to **“recklessly transmit HIV”**. Because I’m now openly known as a **transgender woman**, Express Scripts needed a man & a female to **lure** me into “the trap”. “Allegedly” Kia’s male counter-part got caught in the legal proceedings that Express Scripts are currently fighting, which involves HIV. They want to make it **“appear”** like I’m bi-sexual, but I’m **NOT**. I only date men. The company knew eventually it would come to me filing charges against them, so they planned out a “plea deal” with the intentions of intimidating me into signing it, based off of “allegations” that I haven’t had the right to seek legal counsel for. But the courts are refusing to issue them a **warrant**.

On December 7, 2015 Kia Williams walked over to my desk, in the exact manner that Adam Flowers had previously, and tried to start a physical altercation with me while I was on a phone call. I complained to my supervisor Monica Samuels that same day. The stress of the entire situation led me to **“react”** unprofessionally. On December 9, 2015 I was told to report to HR where I was met by Security, Police, Kristin Robertson and others. I was told that I was being suspended pending an investigation into **“terrorist threats”** that I had allegedly made. On December 15, 2015 I was notified via phone by Ms. Robertson and Mike that I was being terminated for “workplace violence”. Kia Williams was **not** disciplined nor terminated for her attack on me.

- XIII. Destruction, Alteration & Falsification of Records, including Human Sex Trafficking** – The only way Express Scripts was able to **SILENCE/ENSLAVE** me was to have someone speak on my behalf in the legal proceedings. The **problem** is that **NO ONE HAS PERMISSION, POWER OF ATTORNEY, and OR ANY LEGAL RIGHTS** to speak for me. I’m not incompetent and I can speak for myself. Deneen Cavitt, along with other Express Scripts employees informed me that the company (*with the help of police*) contacted my half-brother’s white family & **coerced** them to **LIE & forge** documents illegally, in order to **“attach”** themselves to me, so they could **ILLEGALLY** speak on my behalf & force me into **SLAVERY** through **paper/healthcare FRAUD!** I was informed Express Scripts used white women named **Katie Lauterwasser & Teri Lauterwasser** in efforts to **“correctively rape”** me because of my gender identity/sexual orientation. Apparently in the legal proceedings of Ryan Eddins, Express Scripts is trying to make it a **“medical necessity”** to be **heterosexual** in **“research efforts”** to fight the HIV/AIDS virus. I’m **OUTRAGED** at the notion that Express Scripts hired a **WHITE FAMILY**, that’s not related to me at all, to speak on my behalf or even **ATTEMPT** to attach them to me through **DOCUMENT FRAUD. I WANT THEM IN JAIL!** I’m 31 years old & born an U.S. citizen with a college education. I’m single & have **NEVER** been married, so **NO ONE SHOULD BE SPEAKING ON MY BEHALF IN COURT.** (Whatever is transpiring in those legal

proceedings, obviously had Adam Flowers & Kia Williams “thinking” it was ok to sexually assault & correctively rape me)

Damages transpiring from Express Scripts Civil Rights Violations & Tort Crimes

- **Job Loss/Wrongful Termination**
- **Poverty-** I’m currently below the **Poverty Limit Level in Missouri** for a single person which is **\$11,880 annually & \$990 monthly at 100%**. My income went from **\$28,800 annually & \$2,400 monthly (which is over 200%)** to my current income of **BARELY \$600-\$700 monthly** depending on **IF** I can find work through the temporary agencies in St. Louis, MO. (*See Exhibit W*)
(Express Scripts intentionally forced me out of my employment so I wouldn’t be able to afford a lawyer or take care of myself financially. The company did this to get an “unfair advantage” in the legal proceedings regarding Ryan Eddins & Barbara Gerli)
- **Housing Loss-** I was forced to break my lease after I could no longer afford my rent, which now I’m in debt for. I also have negative markings on my credit report & now at a **disadvantage** when it comes to seeking future housing. (*See Exhibit X*)
- **Hospitalization-** I was **hospitalized** in June of 2016 due to the effects of the severe “**mental torture**” that Express Scripts maliciously ignited on me & was placed on **disability**. (*See Exhibit Y*)
- **Extreme Defamation of Character/Slander-** My reputation & image are **RUINED** because of Express Scripts illegal probing into my **privacy** for their **lawsuit(s)** without warrants. This would also include the alleged surveillance of me at my workstation & AT HOME!
- **Hindrance of Medical Treatment for Gender Identity Disorder-** Because I’m a **transgender woman**, the cost of doctor visits, prescriptions, required surgeries & cosmetics therapies have been dramatically hindered, which has increased my dysphoric medical condition.
- **Black listed/Gang Stalked-** Gang Stalking is a systemic form of control, which seeks to destroy every aspect of a Targeted Individuals life. Once a target is flagged a notification is sent out to the community at large, and the target is followed around 24/7 by the various communities that they are in. **Because of Ryan Eddins & Barbara Gerli’s lawsuit(s)**, Express Scripts made sure to destroy my life in every way possible, especially financially, so I couldn’t survive in society. They are trying to **SILENCE & BLOCK** me from testifying in **BOTH** legal proceedings that currently involve me as a material witness.

Request For Relief

I would like the Court to grant me the following:

- **Punitive Damages under Missouri Revised Statute**

Section 510.265.1 *Monetary compensation awarded to an injured party that goes beyond that which is necessary to compensate the individual for losses and that is intended to punish the wrongdoer & Exemplary Damages - damages requested and/or awarded in a lawsuit when the defendant's willful acts were malicious, violent, oppressive, fraudulent, wanton, or grossly reckless.*

- **Cease And Desist** - It is imperative for my safety that Express Scripts **cease activity & stop** engaging in any **legal proceedings, trials or arbitration hearings** involving Obed Brown. This would also include cease and desist of **unsolicited/solicited services, involuntary servitude, forced labor, human/sex trafficking against me, my likeness and body & any attempt to affiliate me with female or male civilians through any proxy or educational programs.**
- **Issuance of Subpoenas and Writs of Habeas Corpus Ad Testificandum** – I would like to request a written statement from Express Scripts explaining the legal proceedings regarding former employee Ryan Eddins and former employee Barbara Gerli, including Obed Brown's involvement in both lawsuits. I would also like Express Scripts to provide the case numbers, court locations, divisions & judge(s) names so I can exercise my **constitutional rights & seek legal counsel** enforced by the 6th amendment, which includes the **right to be informed & face my accusers**, in regards to my **"involvement"** with the **two** petitioners' legal proceedings. I would also like to exercise my 14th amendment right to **due process**.
 - In addition I would also like to **subpoena the written ad testificandum** under the **writ of habeas corpus** from Express Scripts employees **Deneen Cavitt, Jeceel Pye, Cherilyn L. Azubuike, Efren Morales, Kenya Maclin, Leslie Smith, Adam Flowers & Kia Williams**. The substance of these written testimonies are to support the **merits** of my charge, or use the legal principle of **"adverse inference"**, which assumes the withheld information is unfavorable to the respondent. The Express Scripts employees I listed have either already testified, witnessed, or know about the legal proceedings of Ryan Eddins and Barbara Gerli, including my involvement. In the statements I would like for the witnesses to indicate their **"perspectives"** of the entire situation regarding Ryan Eddins and Barbara Gerli. All of the witnesses can be located at:

Express Scripts
1 Express Way, Buildings 1-8, St. Louis, MO 63121

- **Appointment of Counsel** – I would also like to request appointment of Counsel.
 - I'm a plaintiff & believe I am entitled to redress.
 - Because of my poverty I am unable to pay a reasonable attorney fee.
 - I have made diligent efforts to obtain legal counsel but because of my poverty & Express Scripts black listing, I have been unable to secure same.
 - Due to the complexities of the law & Express Scripts crimes/civil violations, I'm going to need the assistance of an attorney in this **"Double Jeopardy"** circumstance. I will also need counsel in this case as well.
 - I would like the Judge to group all three cases together (**Ryan Eddins, Barbara Gerli & Obed Brown**) so my 5th amendment right won't be violated in way, shape or form.

The **Double Jeopardy clause in the Fifth Amendment of the U.S. Constitution** provides that **"No person shall ... be subject for the same offense to be twice put in jeopardy of life or limb."** This protection is

- To prevent the government from using its superior resources to wear down and erroneously convict innocent persons;
- To protect individuals from the financial, emotional, and social consequences of successive prosecutions;
- To preserve the finality and integrity of criminal proceedings, which would be compromised if the government were allowed to ignore verdicts it did not like;
- To restrict prosecutorial discretion over the charging process; and

